



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/281,797	03/31/1999	ATSUSHI TESHIMA	0905-0216P	7652

7590 08/18/2003

Birch Stewart Kolasch & Birch
P O Box 747
Falls Church, VA 22040-0747

EXAMINER

TRAN, PHILIP B

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 08/18/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

18

Advisory Action

Application No.
09/281,797

Applicant(s)

Teshima

Examiner

Philip B. Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED Aug 13, 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]

- a) ☒ The period for reply expires three months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see NOTE below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because:
Applicant's arguments are not persuasive (see Attachment)
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: None
- Claim(s) objected to: None
- Claim(s) rejected: 2, 4, 7, 8, 10, and 30-32
- Claim(s) withdrawn from consideration: 1, 3, 5, 6, 9, 11-29, and 33-35
8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☒ Other: Applicant's arguments are not persuasive because of the following reasons: _____

Advisory Action (Attachment)

1. Applicant's arguments are not found persuasive because of the following reasons :

Applicant argued that Flowers and Mikuni fail to teach or suggest at least that one box-shaped frames are displayed on a display screen, whereby each of the box-shaped frames is able to enclose their respective characters, which represent data that represents the sizes of characters.

In response to applicant arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F .2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant has not been taken into consideration that applicant's amendment necessitates the combination of Flowers and Mikuni. Flowers teaches a font sharing system in which data can be communicated between a client computer and a server (i.e., work station 12 and font server 16), data representing a character string including a plurality of characters and data representing sizes of characters are included in the character string being transmitted to the server from the client computer. For example, the client supplies information such as font name or printing or display features such as desired letter height, orientation, writing mode, and so forth to the server [see Abstract and Col. 2, Line 50 - Col. 3, Line 16], the server comprising layout generating means for generating data representing a layout based upon the data representing the character string and the data representing the sizes of characters transmitted from the client computer. For example, the font server receives information supplied by the client regarding font name or printing or display features such as desired letter height, orientation, writing mode, and so forth

and retrieves an appropriate font from storage and prepare the font for use with the current application and then customizing the font as necessary and rendering outlines and/or bit maps and reformatting the bit maps or outlines [see Abstract and Col. 2, Line 50 - Col. 3, Line 16 and Col. 3, Lines 17-30 and Col. 4, Lines 30-34 and Col. 4, Lines 50-67 and Col. 6, Lines 10-16], and transmitting means for transmitting the layout data generated by the layout generating means. For example, the font server supplies the outlines and /or bit maps to the client in a format which is compatible with the client's application software [see Col. 4, Lines 34-36 and Col. 6, Lines 24-29] and the client computer comprising display control means for controlling a display device so as to display frames on a display screen, each of the frames corresponding to the size of each character included in the character string based upon the layout data transmitted from the transmitting means of the server. For example, client prints or displays characters with shapes according to bitmap or outlines wherein the outlines indicate the boundaries or frames of various characters [see Fig. B and Col. 2, Lines 32-33 and Col. 6, Lines 6-23 and Col. 9, Lines 62-65]. Flowers does not explicitly teach each of the frames are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters. However, box-shaped frames for enclosing character string specifying fonts is well-known in the art as disclosed by Mikuni [see Abstract and Figs. 4-13 and Col. 6, Lines 1-29]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a box-shaped frame in order to layout character string within a designated configuration regions specifying the appearance shape of the proportional spacing fonts of the desirable character string can be outputted and displayed.

Therefore, the examiner asserts that Flowers in combination with Mikuni do teach or suggest the subject matter broadly recited in independent claims. Claims 2, 4, 7, 8 and 10 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see Paper No. 15]. Accordingly, claims 2, 4, 7, 8, 10 and 30-32 are respectfully rejected.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT
Philip Tran
Art Unit 2155
Aug 14, 2003

Frank
Primary Examiner